

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-12077-JGK

Hispanic Federation et al v. Department of The Air Force
Assigned to: Judge John G. Koeltl
Cause: 05:552 Freedom of Information Act

Date Filed: 12/20/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Hispanic Federation**

represented by **Melissa Legge**
Earthjustice
48 Wall Street
15th Floor
10005
New York, NY 10005
212-823-4978
Email: mlegge@earthjustice.org
ATTORNEY TO BE NOTICED

Mychal Robert Ozaeta
Earthjustice (PA)
1617 John F. Kennedy Blvd, Suite 1130
Philadelphia, PA 19103
(215)-717-4529
Email: mozaeta@earthjustice.org
ATTORNEY TO BE NOTICED

Thomas Joseph Cmar
Earthjustice
1010 Lake Street
Suite 200
Oak Park, IL 60301
312-500-2191
Fax: 212-918-1556
Email: tcmar@earthjustice.org
ATTORNEY TO BE NOTICED

Plaintiff**Alianza Nacional De Campesinas**

represented by **Melissa Legge**
(See above for address)
ATTORNEY TO BE NOTICED

Mychal Robert Ozaeta
(See above for address)
ATTORNEY TO BE NOTICED

Thomas Joseph Cmar
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff**GreenLatinos**

represented by **Melissa Legge**
(See above for address)
ATTORNEY TO BE NOTICED

Mychal Robert Ozaeta
(See above for address)
ATTORNEY TO BE NOTICED

Thomas Joseph Cmar
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

**Labor Council For Latin American
Advancement**

represented by **Melissa Legge**
(See above for address)
ATTORNEY TO BE NOTICED

Mychal Robert Ozaeta
(See above for address)
ATTORNEY TO BE NOTICED

Thomas Joseph Cmar
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

National Hispanic Medical Association

represented by **Melissa Legge**
(See above for address)
ATTORNEY TO BE NOTICED

Mychal Robert Ozaeta
(See above for address)
ATTORNEY TO BE NOTICED

Thomas Joseph Cmar
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Southwest Environmental Center

represented by **Melissa Legge**
(See above for address)
ATTORNEY TO BE NOTICED

Mychal Robert Ozaeta
(See above for address)
ATTORNEY TO BE NOTICED

Thomas Joseph Cmar
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**United States Department of The Air
Force**

represented by **David Stuart Jones**
U.S. Attorney's Office, SDNY (86
Chambers St.)
86 Chambers Street
New York, NY 10007
212-637-2200
Fax: 212-637-2686
Email: david.jones6@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachael Lightfoot Doud
U.S. Attorney Office SDNY
86 Chambers Street
New York, NY 10007
(212) 637-3274

Date Filed	#	Docket Text
12/20/2018	<u>1</u>	FILING ERROR – DEFICIENT PLEADING – FILED AGAINST PARTY ERROR –COMPLAINT against Department of The Air Force. (Filing Fee \$ 400.00, Receipt Number ANYSDC-16092243)Document filed by Southwest Environmental Center, Labor Council For Latin American Advancement, Hispanic Federation, GreenLatinos, Alianza Nacional De Campesinas, National Hispanic Medical Association. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G, # <u>8</u> Civil Cover Sheet Civil Cover Sheet, # <u>9</u> Supplement Disclosure Statement, # <u>10</u> Supplement Disclosure Statement, # <u>11</u> Supplement Disclosure Statement, # <u>12</u> Supplement Disclosure Statement, # <u>13</u> Supplement Disclosure Statement, # <u>14</u> Supplement Disclosure Statement, # <u>15</u> Supplement Request for Issuance of Summons)(Cmar, Thomas) Modified on 12/21/2018 (dnh). (Entered: 12/20/2018)
12/21/2018		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Thomas Joseph Cmar. The party information for the following party/parties has been modified: Department of The Air Force. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error. (dnh) (Entered: 12/21/2018)
12/21/2018		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Thomas Joseph Cmar to RE-FILE Document No. <u>1</u> Complaint. The filing is deficient for the following reason(s): Due to party modification the wrong party/parties whom the pleading is against were selected. Re-file the pleading using the event type Complaint found under the event list Complaints and Other Initiating Documents – attach the correct signed PDF – select the individually named filer/filers – select the individually named party/parties the pleading is against. (dnh) (Entered: 12/21/2018)
12/21/2018		***NOTICE TO ATTORNEY TO ELECTRONICALLY FILE CIVIL COVER SHEET. Notice to Attorney Thomas Joseph Cmar. Attorney must electronically file the Civil Cover Sheet. Use the event type Civil Cover Sheet found under the event list Other Documents. (dnh) (Entered: 12/21/2018)
12/21/2018		***NOTICE TO ATTORNEY REGARDING CIVIL. CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Thomas Joseph Cmar. The following case opening statistical information was erroneously selected/entered: Fee Status code due (due). The following correction(s) have been made to your case entry: the Fee Status code has been modified to pd (paid). (dnh) (Entered: 12/21/2018)
12/21/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge John G. Koeltl. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (dnh) (Entered: 12/21/2018)
12/21/2018		Magistrate Judge Gabriel W. Gorenstein is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (dnh) (Entered: 12/21/2018)
12/21/2018		Case Designated ECF. (dnh) (Entered: 12/21/2018)
12/21/2018	<u>2</u>	FILING ERROR – PDF ERROR – COMPLAINT against United States Department of The Air Force. Document filed by Southwest Environmental Center, Labor Council

		For Latin American Advancement, Hispanic Federation, GreenLatinos, Alianza Nacional De Campesinas, National Hispanic Medical Association. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G)(Cmar, Thomas) Modified on 1/3/2019 (jgo). (Entered: 12/21/2018)
12/21/2018	<u>3</u>	CIVIL COVER SHEET filed. (Cmar, Thomas) (Entered: 12/21/2018)
12/21/2018	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 12/21/2018)
12/21/2018	<u>5</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 12/21/2018)
12/21/2018	<u>6</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 12/21/2018)
12/21/2018	<u>7</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 12/21/2018)
12/21/2018	<u>8</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 12/21/2018)
12/21/2018	<u>9</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 12/21/2018)
12/21/2018	<u>10</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of the Air Force, re: <u>2</u> Complaint,. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center. (Cmar, Thomas) (Entered: 12/21/2018)
12/27/2018	<u>11</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of The Air Force. (dnh) (Entered: 12/27/2018)
01/03/2019	<u>12</u>	COMPLAINT against United States Department of The Air Force. Document filed by Southwest Environmental Center, Labor Council For Latin American Advancement, Hispanic Federation, GreenLatinos, Alianza Nacional De Campesinas, National Hispanic Medical Association. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G)(Cmar, Thomas) (Entered: 01/03/2019)
01/04/2019	<u>13</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Mychal Robert Ozaeta to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-16142485. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center. (Attachments: # <u>1</u> Supplement Certificate of Good Standing, # <u>2</u> Proposed Order)(Ozaeta, Mychal)

		Modified on 1/4/2019 (bcu). (Entered: 01/04/2019)
01/04/2019		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. <u>13</u> MOTION for Mychal Robert Ozaeta to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-16142485. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): Attorney Affidavit/Declaration Per Local Rule 1.3 is missing; Re-file the motion as a Corrected Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Proposed Order.. (bcu) (Entered: 01/04/2019)
01/04/2019	<u>14</u>	AMENDED MOTION for Mychal Robert Ozaeta to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center. (Attachments: # <u>1</u> Declaration & CoGS, # <u>2</u> Proposed Order)(Ozaeta, Mychal) (Entered: 01/04/2019)
01/04/2019		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>14</u> AMENDED MOTION for Mychal Robert Ozaeta to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma) (Entered: 01/04/2019)
01/09/2019	<u>15</u>	NOTICE OF CHANGE OF ADDRESS by Thomas Joseph Cmar on behalf of Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association. New Address: Earthjustice, 1010 Lake Street, Suite 200, Oak Park, Illinois, United States 60301, 3122579338. (Cmar, Thomas) (Entered: 01/09/2019)
01/18/2019	<u>16</u>	CONSENT LETTER MOTION to Stay <i>case and toll answer deadline in light of lapse of Justice Department appropriations</i> addressed to Judge John G. Koeltl from David S. Jones dated January 18, 2019. Document filed by United States Department of The Air Force. (Attachments: # <u>1</u> Exhibit standing order staying certain civil matters pending restoration of Justice Department appropriations)(Jones, David) (Entered: 01/18/2019)
01/22/2019	<u>17</u>	ORDER granting <u>16</u> Letter Motion to Stay. Application granted. This case is subject to Standing Order M10-468. So Ordered. (Signed by Judge John G. Koeltl on 1/18/19) (yv) (Entered: 01/22/2019)
02/01/2019	<u>18</u>	SUMMONS RETURNED EXECUTED. United States Department of The Air Force served on 1/4/2019, answer due 1/25/2019. Service was made by Mail. Document filed by Southwest Environmental Center; Labor Council For Latin American Advancement; Hispanic Federation; GreenLatinos; Alianza Nacional De Campesinas; National Hispanic Medical Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Cmar, Thomas) (Entered: 02/01/2019)
03/04/2019	<u>19</u>	NOTICE OF APPEARANCE by Rachael Lightfoot Doud on behalf of United States Department of The Air Force. (Doud, Rachael) (Entered: 03/04/2019)
03/13/2019	<u>20</u>	ANSWER to <u>12</u> Complaint,. Document filed by United States Department of The Air Force.(Doud, Rachael) (Entered: 03/13/2019)
03/29/2019		Minute Entry for proceedings held before Judge John G. Koeltl: Pretrial Conference set for 4/25/2019 at 04:30 PM in Courtroom 14A, 500 Pearl Street, New York, NY 10007 before Judge John G. Koeltl. (Fletcher, Donnie) (Entered: 03/29/2019)
04/04/2019	<u>21</u>	NOTICE OF APPEARANCE by Melissa Legge on behalf of Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center. (Legge, Melissa) (Entered: 04/04/2019)
04/25/2019		Minute Entry for proceedings held before Judge John G. Koeltl: Initial Pretrial Conference held on 4/25/2019. (Fletcher, Donnie) (Entered: 05/09/2019)

04/26/2019	<u>22</u>	ORDER. The parties are directed to provide the Court with a status report by May 24, 2019, explaining where they are in terms of reaching an agreement and what their schedule is for moving forward. SO ORDERED. (Signed by Judge John G. Koeltl on 4/25/19) (yv) (Entered: 04/26/2019)
05/24/2019	<u>23</u>	STATUS REPORT. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Legge, Melissa) (Entered: 05/24/2019)
05/28/2019	<u>24</u>	MEMO ENDORSEMENT on re: <u>23</u> Status Report filed by GreenLatinos, Hispanic Federation, Alianza Nacional De Campesinas, Labor Council For Latin American Advancement, Southwest Environmental Center, National Hispanic Medical Association. ENDORSEMENT: APPLICATION GRANTED. (Signed by Judge John G. Koeltl on 5/28/2019) (mro) (Entered: 05/29/2019)
05/30/2019	<u>25</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 4/25/2019 before Judge John G. Koeltl. Court Reporter/Transcriber: Pamela Utter, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/20/2019. Redacted Transcript Deadline set for 7/1/2019. Release of Transcript Restriction set for 8/28/2019.(McGuirk, Kelly) (Entered: 05/30/2019)
05/30/2019	<u>26</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 4/25/19 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 05/30/2019)
06/26/2019	<u>27</u>	STATUS REPORT. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 06/26/2019)
06/28/2019	<u>28</u>	MEMO ENDORSEMENT on re: <u>27</u> Status Report filed by GreenLatinos, Hispanic Federation, Alianza Nacional De Campesinas, Labor Council For Latin American Advancement, Southwest Environmental Center, National Hispanic Medical Association. ENDORSEMENT: A conference will be held on Friday, July 12, 2019, at 2:30pm. SO ORDERED. (Status Conference set for 7/12/2019 at 02:30 PM before Judge John G. Koeltl.) (Signed by Judge John G. Koeltl on 6/28/2019) (jca) (Entered: 06/28/2019)
06/28/2019	<u>29</u>	NOTICE OF CHANGE OF ADDRESS by Thomas Joseph Cmar on behalf of Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center. New Address: Earthjustice, 311 S. Wacker Drive, Suite 1400, Chicago, IL, USA 60606, 3126678961. (Cmar, Thomas) (Entered: 06/28/2019)
07/05/2019	<u>30</u>	LETTER MOTION for Conference re: <u>28</u> Memo Endorsement, Set Hearings,, addressed to Judge John G. Koeltl from Thom J. Cmar dated July 5th, 2019. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 07/05/2019)
07/09/2019	<u>31</u>	ORDER granting <u>30</u> Letter Motion for Conference. Application Granted. SO ORDERED. (Signed by Judge John G. Koeltl on 7/08/2019) (ama) (Entered: 07/09/2019)
07/12/2019		Minute Entry for proceedings held before Judge John G. Koeltl: Status Conference held on 7/12/2019. (Fletcher, Donnie) (Entered: 07/30/2019)
07/17/2019	<u>32</u>	ORDER: The defendant shall provide a status report by July 26, 2019, which should include, at a minimum: (1) a description of the searches conducted thus far, (2) a description of the ongoing searches; and (3) a timetable to complete the searches, produce the documents, and produce a Vaughn index for any documents withheld. SO

		ORDERED. (Signed by Judge John G. Koeltl on 7/12/2019) (ks) (Entered: 07/17/2019)
07/26/2019	<u>33</u>	LETTER addressed to Judge John G. Koeltl from Rachael L. Doud dated July 26, 2019 re: Status Report. Document filed by United States Department of The Air Force.(Doud, Rachael) (Entered: 07/26/2019)
09/12/2019	<u>34</u>	MEMO ENDORSEMENT on re: 33 Letter re: Status Report. filed by United States Department of The Air Force. ENDORSEMENT: The Court approves the schedule. SO ORDERED. (Signed by Judge John G. Koeltl on 9/11/2019) (rj) (Entered: 09/12/2019)
11/01/2019	<u>35</u>	STATUS REPORT. Document filed by Alianza Nacional De Campesinas, GreenLatinos, Hispanic Federation, Labor Council For Latin American Advancement, National Hispanic Medical Association, Southwest Environmental Center.(Cmar, Thomas) (Entered: 11/01/2019)
11/05/2019	<u>36</u>	MEMO ENDORSEMENT on re: 35 Status Report filed by GreenLatinos, Hispanic Federation, Alianza Nacional De Campesinas, Labor Council For Latin American Advancement, Southwest Environmental Center, National Hispanic Medical Association. ENDORSEMENT: The defendant should provide the information sought on page 3 of this letter by 11/20/19. SO ORDERED. (Signed by Judge John G. Koeltl on 1/4/2019) (rro) (Entered: 11/05/2019)